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THOMAS F. MCFARLAND

June 27, 2006

By fax to 202-565-9000

Ms. Victoria Rutson
Chief of the Section of
Environmental Analysis
Surface Transportation Board
1925 K Street N.W.
Washington, DC 20423

Re: STB Docket No. AB-33 (Sub-No. 242X), *Union Pacific Railroad Company --
Abandonment Exemption -- in Montgomery County, KS*

STB Docket No. AB-471 (Sub-No. 7X), *South Kansas & Oklahoma Railroad,
Inc. -- Discontinuance of Service Exemption -- in Montgomery County, KS*

Dear Ms. Rutson:

Hereby transmitted is an environmental comment in the above proceeding in behalf of the Kansas Department of Health and Environment (no objection). No excavation or grading will be involved in salvage or post-salvage activities.

Very truly yours,

Tom McFarland

Thomas F. McFarland

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cc: Mack H. Shumate, Jr., Esq., *by e-mail, w/copy*
Edmund S. Gross, Esq., *by e-mail, w/copy*



K A N S A S

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

June 21, 2006

Mr. Thomas F. McFarland
Thomas F. McFarland, P.C.
208 South LaSalle Street - Suite 1890
Chicago, Illinois 60604-1112

Re: STB Docket No. AB-33 (Sub-No. 242X), Union Pacific Railroad Company - - Abandonment
Exemption - - in Montgomery County, KS

STB Docket No. AB-471 (Sub-No. 7X), South Kansas & Oklahoma Railroad, Inc. - -
Discontinuation of Service Exemption - - in Montgomery County, KS

Dear Mr. McFarland:

The Kansas Department of Health and Environment, Bureau of Water has no objection to the proposal. If the salvage work or post salvage work at the site involves excavation or grading activities that will result in disturbing one acre or more, the responsible party will have to secure a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of stormwater runoff associated with construction activities. The project owner (the party responsible for the project) must obtain authorization from KDHE to discharge stormwater runoff associated with construction activities prior to commencing construction activities. The Kansas construction stormwater general permit, a Notice of Intent (application form), a frequently asked questions file and supplemental materials are on-line on the KDHE Stormwater Program webpage at www.kdhe.state.ks.us/stormwater. Answers to questions regarding or additional information concerning construction stormwater permitting requirements can be obtained by calling (785) 296-5549.

Should you have any questions regarding this letter, please feel free to contact me at (785) 296-5547.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald R. Carlson".

Donald R. Carlson, P.E., Chief
Industrial Programs Section
Bureau of Water